



PATENT  
Attorney Reference Number 6235-59216

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Morishita et al.

Application No. 09/857,719

Filed: December 3, 2001

Confirmation No. 9622

For: GENE THERAPY FOR CARDIOMYOPATHY

Examiner: Q. Janice Li

Art Unit: 1632

Attorney Reference No. 6235-59216

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Agent  
for Applicant(s)

Date Mailed September 17, 2003

TRANSMITTAL LETTER

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

Enclosed for filing in the application referenced above are the following:

- ☒ Response to Notice of Non-Compliant Amendment.
- ☒ The Director is hereby authorized to charge any additional fees that may be required, or credit over-payment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

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By

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SLR:dm 09/16/03 219837

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**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

This is a response to the Notice of Non-Compliant Amendment dated September 5, 2003. A one-month period for response was set, making a reply due on or before October 5, 2003.

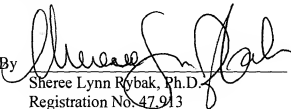
In response to this Notice, Applicants have submitted the corrected section of the amendment that was non-compliant. In particular, a replacement listing of the claims (pages 2 of 11 and 3 of 11 of the previously submitted amendment) is attached to the present document. Please replace the prior listing of claims with this corrected claim listing.

This response is being submitted in accordance with the guidelines provided by the United States Patent and Trademark Office for responding to a Notice of Non-Compliant Amendment. Those guidelines specify that only the corrected section of the amendment need be submitted in response to the Notice. In the corrected listing of claims, a complete listing of all of the claims is present, and the claims are presented in ascending numerical order.

If there are any questions about this response, the examiner is invited to telephone the undersigned at the telephone number listed below.

Respectfully submitted,

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